

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMAR McCULLOUGH,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
JEROME WALSH, et al.,	:	NO. 13-3421
Respondents.	:	

**ORDER**

**AND NOW**, this 19<sup>th</sup> day of March, 2014, upon careful and independent consideration of the petition for a writ of habeas corpus and accompanying memorandum of law, the response, available state court records, Petitioner's "Objection to the Magistrate's Report and Recommendation" submitted on October 21, 2013 (Doc. No. 7), Petitioner's "Return Notice and Plead to Proceed with Petition for Writ of Habeas Corpus" submitted on November 15, 2013 (Doc. No. 9), the supplemental response (Doc. No. 12) and after review of the Report and Recommendation of October 8, 2013 (Doc. No. 6) and the Supplemental Report and Recommendation of February 21, 2014 (Doc. No. 13) of United States Magistrate Judge David R. Strawbridge, and it now appearing that a petition for certiorari was filed in Commonwealth v. Cunningham on February 26, 2014, it is **ORDERED** that:

1. The Supplemental Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus **SHALL REMAIN IN SUSPENSE** until the conclusion of McCullough's appellate proceedings; and

3. Petitioner and Respondents **SHALL NOTIFY** the Court within thirty days of the conclusion of McCullough's appellate proceedings so that the habeas petition may proceed in this Court.

BY THE COURT:

/s/ Harvey Bartle III  
HARVEY BARTLE III, J.